

**HOUSE OF REPRESENTATIVES**  
**Roll Call**  
**BUSINESS AND LABOR COMMITTEE**

DATE: 3-23-07

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
REP. SCOTT MENDENHALL, CHAIR	✓	
REP. MIKE MILBURN, VICE CHAIR	✓	
REP. JIM KEANE, VICE CHAIR	✓	
REP. ELSIE ARNTZEN	✓	
REP. SHANNON AUGARE	✓	
REP. SCOTT BOGGIO	✓	
REP. ERNIE DUTTON	✓	
REP. KEVIN FUREY	✓	
REP. RALPH HEINERT	✓	
REP. LLEW JONES	✓	
REP. HARRY KLOCK	✓	
REP. MICHELE REINHART	✓	
REP. WAYNE STAHL	✓	
REP. BILL THOMAS	✓	
REP. KENDALL VAN DYK	✓	
REP. JONATHAN WINDY BOY		✓



## HOUSE STANDING COMMITTEE REPORT

March 23, 2007

Page 1 of 3

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **House Bill 69** (first reading copy - white) do pass as amended.

Signed: \_\_\_\_\_

*Scott Mendenhall*  
Representative Scott Mendenhall, Chair

And, that such amendments read:

1. Page 1, line 20.

**Strike:** "2007"

**Insert:** "2008"

2. Page 3, line 26 through line 27.

**Strike:** "made" on page 3, line 26 through "use and" on page 3, line 27

3. Page 3, line 27.

**Following:** "mortgage"

**Insert:** ", "

**Strike:** "or"

**Following:** "trust"

**Insert:** ", or trust indenture"

4. Page 4, line 3.

**Following:** "state"

**Insert:** "that is"

5. Page 4, line 4.

**Following:** "four-family dwelling"

**Insert:** "or a manufactured home, as defined by 24 CFR 3280, either of which is intended to be the borrower's primary residence"

6. Page 4, line 29.

**Following:** "(2)"

**Insert:** "(a)"

Committee Vote:

Yes 16, No 0

Fiscal Note Required \_\_\_\_

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jbm

7. Page 5, line 2.

**Following:** "by"

**Strike:** "fingerprints,"

**Insert:** "an examination of"

8. Page 5, line 3.

**Following:** "character,"

**Strike:** "and"

**Following:** "fitness"

**Insert:** ", and criminal records"

9. Page 5, line 5.

**Insert:** "(b) (i) As a prerequisite to the issuance of a license, the department shall require the applicant to submit fingerprints for the purpose of fingerprint checks by the Montana department of justice and the federal bureau of investigation.

(ii) The applicant shall sign a release of information to the department and is responsible to the department of justice for the payment of all fees associated with the criminal background check.

(iii) Upon completion of the criminal background check, the department of justice shall forward all criminal justice information, as defined in 44-5-103, concerning the applicant that involves the conviction of a criminal offense in any jurisdiction to the department, as authorized in 44-5-303.

(iv) At the conclusion of any background check required by this section, the department must receive the criminal background check report but may not receive the fingerprint card of the applicant. Upon receipt of the criminal background check report, the department of justice shall promptly destroy the fingerprint card of the applicant."

10. Page 5, following line 8.

**Insert:** "(5) A mortgage broker and its branches licensed under Title 32, chapter 9, is exempt from licensing fees under [sections 1 through 32]. A licensed mortgage broker that engages in mortgage lending shall comply with the provisions of [sections 1 through 32]."

11. Page 7, following line 17.

**Insert:** "(8) A person is exempt who is licensed under Title 32, chapter 9, if the person is engaged solely in the business of mortgage brokering and does not advance funds, offer to advance funds, or commit to advancing funds.

(9) A person is exempt who is a retail seller, as defined in 31-1-102, if the person complies with the provisions of Title 31, chapter 1, part 2.

(10) A person is exempt who sells the person's own real property."

12. Page 9, line 18.

**Following:** "department."

**Insert:** "The department may accept the audit of a parent company of the licensee in lieu of an audit of the licensee if the department determines that the parent company's audit is sufficient for the department's purposes."

13. Page 19, line 18.

**Following:** "hearing."

**Insert:** "The order may apply only to the alleged act or practice constituting a violation of [sections 1 through 32]."

14. Page 20, line 7.

**Following:** "County"

**Insert:** "if the person is not a resident of this state or does not maintain a place of business in this state"

- END -



## HOUSE STANDING COMMITTEE REPORT

March 23, 2007

Page 1 of 1

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **House Bill 141** (first reading copy -- white) **do pass as amended.**

Signed: \_\_\_\_\_

*Scott Mendenhall*  
Representative Scott Mendenhall, Chair

**And, that such amendments read:**

1. Page 5, line 13.

**Following:** "chapter"

**Insert:** ", not to exceed \$5,000 for each administrative action,"

2. Page 15, line 8.

**Following:** "hearing."

**Insert:** "The order may apply only to the alleged act or practice constituting a violation of this chapter."

3. Page 16, line 1.

**Following:** "County"

**Insert:** "if the person is not a resident of this state or does not maintain a place of business in this state"

4. Page 16, line 4 through line 5.

**Strike:** "If" on line 4 through "costs." on line 5

- END -

**Committee Vote:**

**Yes 16, No 0**

Fiscal Note Required \_\_\_\_

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*jb*  
3/23/07

## Business and Labor Committee

**PLEASE PRINT**

ADDRESS SB 312, 417, ST 15 DATE

**SUPPORT:**                      **OPPOSE**                      **AMEND**

[illegible]

**Montana House of Representatives  
Visitors' Register**

Business & Labor COMMITTEE

Date 3-23-07

Bill Nos. SB 312; 417 Sponsor(s) Sen. Lind; Sen. Brown;  
SJ 15 Sen. Millan  
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Name	Representing	Bill No.	Support	Oppose	Info.
<u>Jerome Anderson</u>	<u>YELLOWSTONE</u> <u>Physicians</u> <u>MONTANA CATHOLIC SOC</u>	<u>SB 312</u>	✓		
"	"	<u>SB 417</u>	<del>✓</del>	✓	
"	"	<u>SJR 15</u>	<u>conceded</u>		
<u>Jim Paquette</u>	<u>SAINT VINCENT</u> <u>Healthcare</u>	<u>312</u>		✓	
J		<u>417</u>	✓		
		<u>SJ 15</u>	✓		
<u>John Solheim</u>	<u>St. Peter's Hosp</u>	<u>312</u>		✓	
		<u>417</u>	✓		
		<u>SJ 15</u>	✓		
<u>REYNIA</u>	<u>Physicians</u>	<u>SB 312</u>	✓		
<u>Gloria Herman</u>	<u>area of dent Surg</u> <u>etc</u>	<u>SB 15</u> <u>312</u>	✓		
"	"	<u>417</u>		✓	
<u>K. Kubicka MD</u>	<u>MMA</u>	<u>SB 12</u>	✓		
"	"	<u>SB 417</u>		✓	
"	"	<u>SJ 15</u>	✓		
<u>Larry Putnam</u>	<u>Phillips County Hosp</u>	<u>417</u>	✓		
<u>John Goodnow</u>	<u>Benefits</u>	<u>15</u>	✓		
<u>John Goodnow</u>	<u>Benefits</u>	<u>417</u>	✓		
<u>Amy Astin</u>	<u>Benefits</u>	<u>417 &amp; 15</u>	✓		

Patricia McCall Billing Clinic 417, 15 ✓

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

**Montana House of Representatives  
Visitors' Register**

Business & Labor COMMITTEE

Date 3-23-07

Bill Nos. SB 312; 417 Sponsor(s) Sen. Lind; Sen. Brown;  
Sen. Hillen  
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Name	Representing	Bill No.	Support	Oppose	Info.
Dennis Salisbury	self	SB 312		X	
Nicholas Webster	Bullwaps Clinic	SB 312/417	X		
Ellen	Montana State	312	X		
David Chamberlain	self	SB 312 417/15		X	
David Chamberlain	self	SB 312	X		
Paul Boyert	SELF	SB 312, 417, 15	X		
KELLY J. ROSSVILL MD	ST. JAMES MEDICAL CENTER	SB 312	X		
J M DRISCOLL MD	PATIENT PHYSICIAN	SB 417		X	
Steven Akre MD	Great Falls Clinic	SB 312	X		
"	"	417		X	
W. Nordmark	Boreman Area	417	X		
Bob Olsen	MT Hospital Assn	SB 312	X		
Kelley Evans	Bronckton Hospital	417	X		
MILK HANSEN	HONOLULU HOSPITAL	SB 15	X		
Jim McLean	MT Physical Therapy Assn	SB 312	X		
Zorana Rhat	MT Physical Therapy	SB 312	X		
Dickie Simonsen	MT Hospital Assn	SB 312		X	
James Kiser	St. James Health Center	SB 312		X	
Mike Foster	BVN, SJH, HANWHA	SB 417	X		
TOM EDERY	"	SB 15	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.